

FORM NO - 4
(SEE RULE 11(1))
IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH,
KOLKATA
ORDER SHEET
APPLICATION NO. O. A. No.3/2012

APPLICANT(S)	Jyotish Chandra Jana & Another
RESPONDENT(S)	Union of India & 8 Ors.
Legal Practitioner for Appellant(s) Mr. Parimal Kumar Dwari	Legal Practitioner for Respondent(s) Mr. Sandip Kumar Bhattacharyya (Rp.1-7) Mr. Gopal Krishna Maiti (Resp. 8)

ORDER OF THE TRIBUNAL	
	Order No. 20 Dated: 26 .02.2014
	<p>Mr. Parimal Kumar Dwari, Id. advocate appears on behalf of the applicants/plaintiffs. Mr. Sandip Kumar Bhattacharyya, Id. advocate for respondent/defendant Nos. 1 to 7 is present. Mr. Gopal Krishna Maiti, Id. advocate led by Mr. Sabir Ahamed, Id. advocate appears for respondent/defendant No.8.</p> <p>At the outset, Mr. Dwari, Id. adv. for the applicants/plaintiffs submits that the relevant enrolment documents of their son since deceased are required for the purpose of proper adjudication of this suit since signature of the deceased, is under challenge. According to him, his son must have signed the enrolment documents at the time of his entry in the military service and such signature is likely to tally with the signature made upon the purported Will and other connected documents. Mr. Ahamed, Id. adv. for respondent/defendant No.8, however, raises objection against such submission since the suit is at the advanced stage of argument. In such circumstances, Mr. Dwari, Id. adv. for the applicants/plaintiffs is</p>

allowed seven days to file an application in this regard after serving a copy of such application upon the counsel for the respondents/defendants.

Mr. Bhattacharyya, Id. adv. for respondent/defendant Nos.1 to 7 files a supplementary A/O which may be kept with the record. In support of such supplementary A/O, it is submitted by him that he has annexed xerox copies of acquittance roll for the month of January, March & June, 2007 to the supplementary A/O wherein the signature of the soldier, since deceased, appears in column 9 of the acquittance roll. It is further submitted by him that these documents may be exhibited from the defendants' side as secondary evidence. Mr. Dwari, Id. adv. for the applicants/plaintiffs as also Mr. Ahamed, Id. adv. for the respondent/defendant No.8 raise no objection against such submission. In such circumstances, let these documents be marked as Exhibit K-1, K-2, K-3 (K series)(without objection) and the same be tagged with defendants' exhibits in Trial Court's record. Tribunal Officer is directed to update the defendants' exhibit list by incorporating the nature and other relevant particulars of the exhibited documents accordingly.

Respondents/Defendants are also at liberty to file written objection, if any, against the applicants/plaintiffs' prayer for production of documents from the custody of respondent/defendant authorities.

Let the matter be adjourned till 12.03.2014 for further order.

A plain copy of the order, duly countersigned by the Tribunal Officer, be furnished to both sides after observance of usual formalities.

(LT. GEN. K.P.D.SAMANTA)
Member (Administrative)

(JUSTICE RAGHUNATH RAY)
Member (Judicial)